

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:14-CV-295-F

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
\$107,702.66 IN UNITED STATES)
CURRENCY SEIZED FROM LUMBEE)
GUARANTY BANK ACCOUNT NUMBER)
82002495,)
)
 Defendant.)
)
And Concerning)
)
LYNDON B. MCLELLAN and L&M)
CONVENIENT MART, INC.,)
)
 Claimants.)

CONSENT ORDER

By signing below, the undersigned parties have consented to the entry of this Order and have informed the Court the following:

1. They have settled the litigation in this matter.
2. The parties' settlement is neither a concession by the United States that the defendant currency is not subject to forfeiture or that it is liable for the amounts paid, nor an admission of any wrongdoing by the Claimant. Rather, the parties' settlement

is merely a compromise to avoid the delay, uncertainty, inconvenience, and expense of protracted litigation regarding payment of fees, costs, and interest.

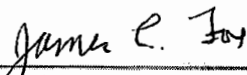
It is, therefore, ORDERED that:

1. The Government shall pay interest on the funds seized from the date of the seizure until the return of the money. The government will pay the greater of (a) interest actually paid on the money during the time that it was in the government's possession, or (b) interest that the funds would have earned at the rate applicable to the 30-day Treasury Bill.

2. The Government will pay an additional \$67,250.00 to the claimants, which amount shall be inclusive of all litigation costs and attorneys' fees for which the claimants might contend it were liable under 28 U.S.C. § 2465(b).

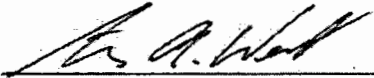
Upon the entry of this order, the Clerk of Court is DIRECTED to close this case.

SO ORDERED this 5 day of April, 2016.

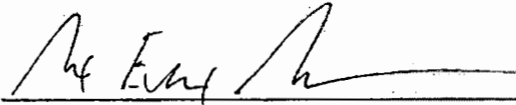


JAMES C. FOX
Senior United States District Judge

Consented to by:



STEPHEN A. WEST
Attorney for United States of America



ROBERT EVERETT JOHNSON
Attorney for Claimants, Lyndon B. McLellan
and L&M Convenient Mart, Inc.